

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

DONALD JOSEPH LAMOUREUX,

No. 03:10-CV-6295-JE

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE, Commissioner,
Social Security Administration,

Defendant.

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Alan Stuart Graf P.C.
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Summertown, TN 38483

Attorney for Plaintiff

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HERNANDEZ, District Judge:

Magistrate Judge Jelderks issued a Findings and Recommendation (#24) on February 13, 2012, in which he recommends that this Court reverse the Commissioner's decision and remand the case for an immediate award of benefits. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

CONCLUSION

The Court adopts Magistrate Judge Jelderks' Findings and Recommendation (#24). Accordingly, the Commissioner's decision is reversed and this case is remanded for an immediate award of benefits.

IT IS SO ORDERED.

DATED this 5th day of March, 2012.

/s/ Marco A. Hernandez
MARCO A. HERNANDEZ
United States District Judge